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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/653,683	09/02/2003	James R. Schleicher	W02.001	5682	
28062 DIICKLEV M	7590 10/19/200 ASCHOEF & TALWA	EXAMINER			
BUCKLEY, MASCHOFF & TALWALKAR LLC 50 LOCUST AVENUE NEW CANAAN, CT 06840			DURAN, ARTHUR D		
			ART UNIT	PAPER NUMBER	
		3622			
			MAIL DATE	DELIVERY MODE	
			10/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary Total Continuous Total C	Office Action Summary		Application No.	Applicant(s)					
Arthur Duran Acthur Duran Acthur Duran Acthur Duran Ascala The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of the may be evaluated under the provision of solid provision of the major than the state of the solid provision of the major than the state of the solid provision of the major than the state of the solid provision of the so			10/653,683	SCHLEICHER ET AL.					
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Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Estansions of time may be available under the provisions of 37 CFR 1.136(a). In or event however, may a reply be simaly free Estansions of time may be available under the provisions of 37 CFR 1.136(a). In or event however, may a reply be simaly free I IN Operoid for reply is specified above, the mainima attations provide aboy and will expect and will expect and will provide 36 (b) MONTHS from the maining date of this communication. Fallow to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply recovered by the Office laber hand hower normal attations provide application to become ABANDONED (35 U.S.C. § 133). Any reply recovered by the Office laber hand hower normal attations provide in some of the maining date of this communication, even if sendly flied, may reduce any cannot plant term educations. Status 1) Responsive to communication(s) filed on 02 September 2003. 2a) This action is FINAL. 2b) This action is non-finat. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)			Arthur Duran	3622					
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be subtilise under the provisions of 37 CFR 1.136(). In or event, however, may a reply the timely filled after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximus statutory period will apply and will applie SX (6) MONTHS from the mating date of this communication. If NO period for reply is a position and an arrange of the communication is belower. Well-MONDED (78.13.C. § 13.5). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filled, may reduce any seared patent term adjustment. See 37 CFR 1.704(b). Status 1)									
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7 Notice of Braitsperson's Fatent Brawing Neview (F10-940) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 12/5/03; 2/27/04. 5) Notice of Informal Patent Application 6) Other:	1) Notice 2) Notice 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO/SB/08)	Paper No(s)/Mail Dai 5) Notice of Informal Pa	te					

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DETAILED ACTION

1. Claims 1-43 have been examined.

Election/Restrictions

- 2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-20, 39, 41, drawn to selecting participants, classified in 705/14.
 - II. Claims 21-38, drawn to performing an act, verifying an act, reward levels for acts, classified in class 705/14.
 - III. Claims 40, 42, 43, drawn to processing funded and unfunded points, classified in 705/14.

Inventions I, II, and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, Subcombination I has separate utility such as selecting participants.

Subcombination II has separate utility such as a user performing an act, verifying an act, and determining reward levels for acts. Subcombination III is drawn to processing funded and unfunded points. See MPEP § 806.05(d). Each of these subcombinations can function as a separate, distinct invention that does not need the other subcombinations. At the same time, the subcombinations could be combined into a single combination.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

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A telephone call was made to Kurt Maschoff at (203)972-0081 on approximately 8/28/2007 to request an oral election to the above restriction requirement, but did not result in an election being made. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (571) 272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Arthur Duran Primary Examiner Art Unit 3622 Page 4

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